**SEALED****UNITED STATES OF AMERICA**

v.
TYRONE HENRY,
Defendant

Case No. 5:25-MJ- 30 (TWS)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 24, 2025 in the county of Oneida in the Northern District of New York the defendant violated:

Code Section
18 U.S.C. § 1361

Offense Description
Depredation of Federal Property

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

Andrew Urbaez
Complainant's signature

Andrew Urbaez, Special Agent

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: February 5, 2025

Judge's signature

City and State: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF NEW YORK

UNITED STATES

v.

TYRONE P. HENRY

Defendant.

Case No.

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
A CRIMINAL COMPLAINT**

I, Andrew Urbaez, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint charging Tyrone P. Henry, the defendant, with violating Title 18, United States Code, Section 1361 (misdemeanor), Depredation of Federal Property.

2. I am a Special Agent with the Federal Protective Service. I have attended the Federal Law Enforcement Training Center (FLETC), located in Glynco, Georgia, where I was enrolled in, and successfully completed, both the Criminal Investigator Training Program (CITP) and Uniformed Police Training Program (UPTP). I completed training and became a Uniformed Federal Protective Service Officer on September 19, 2019. I became a Special Agent on November 4, 2022.

3. Pursuant to the Homeland Security Act of 2002, I am an investigative, or law enforcement officer of the United States within the meaning of Title 40, United States Code, Section 1315, that is, an officer of the United States who is empowered by law to conduct investigations of and make arrests for the offenses enumerated in Title 18, United States Code.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement officers and witnesses. This

affidavit is intended to show merely that there is sufficient probable cause for the requested criminal complaint and does not set forth all of my knowledge about this matter.

5. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe Tyrone P. HENRY has willfully violated Title 18, United States Code, Section 1361 (misdemeanor) by causing damage to approximately three (3) windows at the Alexander Pirnie Federal Building in Utica, New York by throwing unidentified objects at these surfaces requiring their replacement and/or repair.

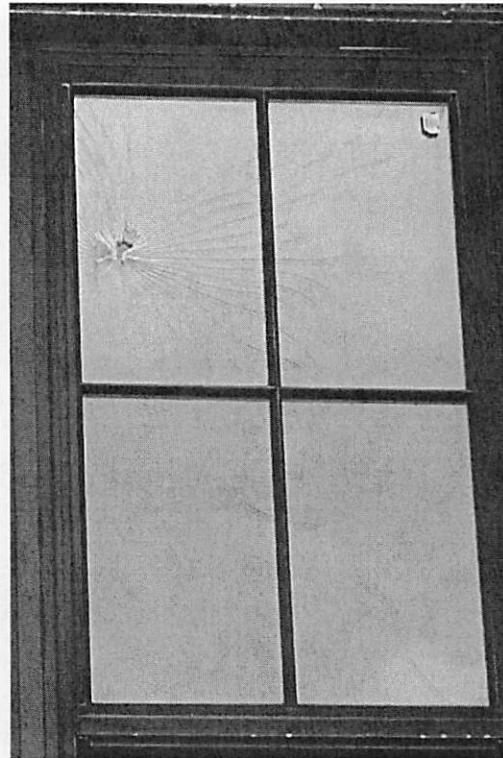
PROBABLE CAUSE

6. On or about January 24, 2025, at approximately 1:51 a.m., an individual (“SUBJECT”) walked on to federal property at the Alexander Pirnie Federal Building in Utica, New York and proceeded to throw unidentified objects to the West and North side of the Federal Building, breaking multiple windows.

7. This building is the property of the United States. It is administered by the General Services Administration (GSA), an agency of the United States established in 1949 to help manage and support the basic functioning of federal agencies. The building houses the United States District Court for the Northern District of New York, United States Bankruptcy Court, the Social Security administration, United States Probation, the United States Marshals Service, and the Internal Revenue Service.

8. Video surveillance footage gathered from the Utica Federal Building shows SUBJECT wearing a dark colored coat, a dark colored hoodie, a dark colored hat with the hood of the hoodie over top of the hat, dark colored pants, and boots (potentially brown and black).

9. Surveillance footage further shows SUBJECT walk toward the west side of the Federal Building and stop just before the sidewalk. SUBJECT appears to reach in his pocket, pull out unidentified objects, and forcefully throw the objects at the Federal Building. SUBJECT then appears to walk north and throw objects two more times at the Federal Building. SUBJECT then appears to walk to the front of the Federal Building and throw objects several more times at the Federal Building. These actions injured and acted as a depredation of federal property. Some of the damage is depicted below:



10. Based on my communication with a federal employee who is responsible for overseeing the restoration of the facility windows following the above incident, I know that significant costs have been and will be incurred to replace or repair the damage caused on January 24, 2025.

IDENTIFICATION OF TYRONE HENRY

11. Tyrone HENRY was identified as the SUBJECT from the surveillance footage who caused the damage on January 24, 2025. A Protective Security Officer (PSO) was monitoring the Video Surveillance System (VSS) footage at the time of the events described above. The PSO recognized HENRY in the VSS footage because HENRY had a history of similar destructive incidents at the Federal Building. The PSO contacted the Federal Protective Service and Utica Police Department. Utica Police Officers arrived on location while the SUBJECT from the VSS footage was still on the scene. Utica Police Officers took the SUBJECT into custody and identified him as Tyrone HENRY.

12. HENRY has a history of destructive and disruptive behavior at the Alexander Pirnie Federal Building. On or about September 20, 2024, Tyrone P. HENRY damaged the Alexander Pirnie Federal Building by forcefully slamming a shopping cart against the southwest rear employee entrance door multiple times. The Utica Police Department responded, arrested, and transported HENRY to Utica Police Headquarters for processing. On October 22, 2024, HENRY was charged by federal complaint with violating 18 U.S.C. § 1361 relating to this incident. *See United States v. Tyrone Henry*, 5:24-MJ-453(TWD). HENRY was arrested on the charge on November 7, 2024. On November 13, 2024, HENRY pleaded guilty to the charge and was released pending sentencing on January 15, 2025. HENRY did not appear for sentencing and has not yet been sentenced in that case.

13. On or about June 20, 2023, Tyrone P. HENRY threw a hardened rock-like object at a first-floor window, located on the south side of the Alexander Pirnie Federal Building. After throwing the rock-like object, which appeared to cause no damage, Tyrone P. HENRY picked up a larger rock-like object, which turned out to be a piece of asphalt, and walked back towards the

window and threw it at the window causing it to shatter in a spider-web-like pattern. Tyrone P. HENRY was issued a U.S. District Court Violation Notice in violation of 41 CFR 102-74.38(b)(e) with a mandatory court appearance.

14. On October 3, 2023, SUBJECT was taken into custody on a warrant for the 41 CFR Violation Notice and transported to the U.S. Courthouse in Syracuse for his appearance. After consultation with his court appointed attorney, Tyrone P. HENRY pled guilty to violation of 41 CFR 102-74.380(b)- willfully destroying or damaging property & (e) - throwing articles of any from or at a building. He was sentenced to serve 30-days of unsupervised probation.

15. On or about June 14, 2023, SUBJECT became disorderly when visiting the Social Security office located inside the Alexander Pirnie Federal Building. The Utica Police Department responded and arrested SUBJECT for Disorderly Conduct. Through processing, SUBJECT was identified as Tyrone P. HENRY.

16. On or about June 11, 2023, Tyrone P. HENRY became agitated and began to rip flowers from the planter around the water fountain located on the north side of the Alexander Pirnie Federal Building. The Utica Police Department responded and arrested Tyrone P. HENRY for Criminal Mischief: Intent to Damage Property and Criminal Tampering – 3rd Degree. Through processing, SUBJECT was identified as Tyrone P. HENRY.

17. Upon information and belief, Tyrone P. HENRY is believed to be homeless, with no fixed abode or address.

CONCLUSION

18. In light of the foregoing, I respectfully submit there is probable cause to believe Tyrone P. HENRY, the defendant, has violated Title 18, United States Code, Section 1361 (misdemeanor) for his willful depredation of federal property at the Alexander Pirnie Federal

Building on January 24, 2025, as described above. I respectfully request the Court authorize the filing of this complaint and issue an arrest warrant so that the defendant may be brought to court for further proceedings in accordance with the law.

Attested to by the affiant:

Andrew Urbaez

Andrew Urbaez

Special Agent

Federal Protective Service

I, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on February 28, 2025 in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Thérèse Wiley Dancks

Hon. Thérèse Wiley Dancks
United States Magistrate Judge